Reinstate

G. R. S. 58]

Previous references. 1922 (Mangrai) **File No.** 59

Serial Nos. 39-40.

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 2

Part B for December 1924.

SUBJECT

Solicits sanction to a bill for Rs 100/- sent by the Advocate Mr. Seetharamiah for having received instructions and drafted a letter revoking the power

G. O. No 8656
Dated 10.12.24

To the Accountant General

Sanctions a fee of Rs 50/- only to the Advocate as requested

Muz 1] 192 2.

MUZRAI SECRETARIAT.

(Muz.)

NOTES.

File No. 59/1922

FILE HEADING.

Revocation of the Power of Attorney issued by Mr. Bhujanga Rao, Pleader, Nellore on behalf of Sri Bhimanapalle Mutt, Mallavolu Taluk

From The Muzrai Comr.

C No 1219 Dated 21.7.1922 Received

Diary No.	Enclos.	Spare Copies.	Serial No.
108			

BRIEF ABSTRACT OF LETTER.

Forwards the correspondence with the Shimoga Dy. Comr. soliciting sanction to a bill for Rs 100/ sent by the Advr. Mr. Seetharamiah for having received instructions and drafted a letter revoking the Power.

NOTES AND ORDERS.

The Muzrai comr's. letter explains the facts of the case.

The Muz. comr. seems to think that There was no need to issue

NOTES--First Sheet

WD 0560—GPB—500—9 S 22

Serial No

The above charge which, he ~~thinks~~ Considers rather excessive. May the Legislative Secy be consulted in the matter?

Endrsd. 1. How it was necessary
AD 26-7-24. in the best interests
of the matt to revoke
the original Power of attorney
has not been explained by the
Dy Com^r. May an enquiry be
made as to the circumstances
which necessitated a revocation

RD
26.7.24

The Power authorizes the D.C.
to execute a Power of Attorney in favour
of Mr Bhujanga Rao in place of.
The Power of Attorney was drafted by the
Govt Advocate at the instance of the Govt;
the Dy Com^r, it seems, should have
himself proceeded to cancel it without
any Govt, this incurring
an Expenditure of Rs 100, which could have
been avoided if the revocation of the Power
had also been drafted by the Govt Advocate.

31.7.24. RD

Rec - Secy

110/6.8

NOTE—Contn sheet

WD 0561—GPB—3750—1 S 22

.G. R. S. III-2

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6) ...

...

...

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7 submitted. The transaction in question relates to a period prior to the appointment of the Ld Legal and the issue of the Law Department rules, and has therefore to be judged from the standpoint of the rules & orders in force at the time.

8 No definite rules existed regarding the procedure to be followed by Govt officers in getting legal opinion on matters arising in the course of the administration. But in the order of 1904, it was made one of the duties of the Govt Advocate to advise Govt on matters referred to him by Govt. The latter was entitled on all such occasions. The practice was for the several Departments to make references to Govt. for advice as to address the Govt Advocate direct, obtain legal opinion & forthcoming this practice the Dy. should either have endorsed the Govt. Advocate on

Opinion of Govt's action in entrusting the work to a Local Advocate.

NOTE—Contn Sheet No. 2/1930.

the matter to Govt. In his
explanation, the officer while
commenting unfairly the mistake
of the Asst Collr by him
has justified his action by
stating that the matter was
too urgent to bear the delay
that might have occurred in the
opinion, been caused by a
reference back to the Govt
Monarch. The urgency seems
to have been to terminate the
power of attorney but the reason
why that was urgent was not
clearly stated. If the original
power was drafted by the Govt
Monarch, he could have easily
drafted the revocation in the
same breath which must evoke.
The Govt also appears to enquire
why the matter having been referred to
the Sikkarampuja for opinion. This
should not have been done.

Coming to the question
of remuneration for having
rendered, it is difficult to say
in the absence of further particulars

Serial No

NOTE—Contn Sheet

Serial No.

regarding the points of law advised upon: the records show the Lawyer had to make enquiries, what amount is justifiable. This is a certain extent depends on personal consideration also. The Government of Bijapur were to have taken to what the payments should be and not to have arisen. The bill may however need to be passed & notwithstanding issued to prevent a recurrence of the difficulties in future.

ID of things are for. even well in time & necessary action to be taken. The enquiries as to the one under reference may not arise.

7.8.24
10-11-24

Sri Bhujanga Rao was ordered to be appointed as attorney on 28-6-23 See Book of Instructions shows

NOTE—Contn Sheet

Serial No.

that he went through certain records from 16.6.23 to 18.6.23 for which he charged Rs 600/-. It is not clear why this work done the Public prosecutor could have been entrusted with the work under the rules of copy (7L P.
vide Rule 7 (2) and the remuneration payable to him would have been Rs 15/-

LHL 12/4

The transaction took place in June 1923 before the Rules for the Conduct of legal affairs were made. According to G.O of 1924, Dt. any Pleader could not have done the work for. His action in travelling a private practitioner is not therefore justified As regards remuneration claimed by R. Mo, the sum is in fair excess of what is usually paid — It may now be reduced to Rs 50/—

Rev Sec'y with (enclo)

D.G. 21.4

D 21.4

15) Submitted with reference to para 6 Supra

22/4/24

22 11 24.

594 2nd member. 16) At fair & Rs 50/- may be sanctioned to Lt K Singh

24/4/24

NOTE—Covering Sheet

25.11.24.

G. R. S. III. 2]

Muzrai Secretariat | Muz. File No. 59 of 1922

Serial No.

17) DOF. Secn 18

AE 27.11.24 DS 27.11.24

18) Issue D 4.12.24

40. To the Muzrai Commr's Complaint No. 855-6 d. 10.12.24. State that the A.G.'s action in consulting a private practitioner instead of consulting the Govt Advocate in the matter is not justified & sanctions a sum of Rs 50 to the Advocate as the remuneration claimed is in excess of what is usually paid for such work, the charge being met from the Court Funds.

NOTE—Contn. sheet

No.C 1219/23-24 Office of the Muzrai Commissioner in Mysore.

Enclosure file

Dated Bangalore, 19th July 1924.

21

From

K. Chandy, Esquire., B.A.,

Muzrai Commissioner in Mysore,

Bangalore.

GEN. & REV. SECRETARIAT. 22 JUN 1924

To

Dno. 108

R. V. Anantaraman, Esquire., B.A.,

Secretary to the Government of

His Highness the Maharaja of Mysore,

Revenue Department.

Sir,

I have the honor to submit herewith for reference and kind return correspondence ending with letter O.C.No.75/Rev.22-23 dated 15th July 1924, from the Deputy Commissioner, Shimoga District, soliciting sanction to a bill for Rs.100/- sent by Mr. S. Sitaramaiya, Advocate, for having received instructions and drafted a letter revoking the -- power of attorney executed in favour of Mr. B. Bhujanga Rao, Pleader, Udipi, under the authority of Government order No.G.E./Muz.dated 25th June 1923, the charge being met from the funds at the credit of the Pheemanakatte matha, Tirthahalli Taluk.

2. In reply to an enquiry made from this office as to why the -- question of revocation was referred to a local advocate when all action connected with the execution of the Power was taken by the Government Advocate under instructions from Government and occasion given to an expenditure of Rs.100/- the Deputy Commissioner states that as Trustee of the Matha he felt that it was necessary in the best interests of the Institution to revoke the power as early as possible and to obviate the delay that would otherwise have occured in writing to the Government -- Advocate and that consequently he instructed Mr. Sitaramaiya to draft the letter of revocation.

3. Enquiry was also made whether the fees charged were not excessive and whether it was not possible of reduction. The reply received from Mr. Sitaramaiya (submitted in original) which is to the effect that --- ~~that~~ having regard to the fact that this was a matha matter only in --

[illegible]

19/12/24

minimum rates have been charged and that the amount now possible of reduction.

4. In the circumstances narrated above, I request that sanction Government may be accorded to the enclosed bill for R.100/- the charge being met as proposed. (3)

I have the honor to be,

Sir,

Your most obedient servant,

Muzrai Commissioner.

Mur. 7]

SUBJECT.....

.....

.....

Diary No of letter replied to.....

Muzrai Secretariat

( )

the 192 .

Date of issue 10.12.24

Signed by. Mr T. Ramaiya

May this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette. English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette, Kannada Part ?

SECTION Mur

FILE No. 59-22

SERIAL No.

Proceedings of the Government of His Highness the Maharaja of Mysore

Read— G.O.N.C. Camp C-2 Mur

G.O. dt. 25-6-23 directing that the Dy Comr., Shimoga Dt be constituted the Superintending Authority & the trustee for the Sri Bhimankatte mutt & requesting him to execute a power of attorney in favour of Mr. B. Bhimaiah Rao, Mukhtar

~~Order Thereon No.~~ of Sagar State all necessary action in respect of recovery of certain monies due to the mutt.

Letter No. C 1215 Jus 24 dt. 11.7.24 from the

KM 10/12

18/12

MR 19/12/24

Mem: Con^r in regard
to forwarding Correspondence
ending with letter O.C. No 975
Dec 22-23

& 15.7.24 from the Dy Com^r
Shimoga Dn in regard to the
revocation of the Power of
Attorney issued in favor
of Mr Bhujanga Rao & directing Sanction to
a fee of Rs 100 to Mr. Subbaramaiya
Advocate &c

[Annexed the Mem
Cont^d letter in Enclosing]

Order. 855-6 Encl. one file
Mus 59-22-40 dt 10.12.24

List of enclosures.

In matter ~~of~~ Mrs

~~been~~ referred to the
L & L Secy, Govt, & he is
of opinion that the
transaction having taken
place in June 1923 before
the rules for the conduct of
legal affairs were framed,

Copied by

Examined by

WD 0566—2000—GPB—29-7-22

G. R. S. G/33]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

The Dy Comr might, under his Go. No. 1732-33 J/37/02-23 dt 16-2-24, have consulted the Govt Advocate who would have done the work free. ~~that~~ This action is censurable. A private practitioner is not entitled to any fee, but as regards the remuneration claimed viz Rs 100/ the sum is far in excess of what is usually paid & may be reduced to Rs 50/-

The Dy Comr's attention is drawn to para 6 of the Order read above, and

para 2. As regards Cert remuneration claimed, the sum is far in excess of what is usually paid for such work. Govt are therefore pleased to sanction a fee of Rs 50 only to the Advocate in question, the charge being met from the funds of the Municipality.

To The Dy Comr
Kasaragod
& Comptroller Accts

By order
Secretary
27-11-24

Pl. 2950—G.P.S.—1,000—25-7-20